



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**Applicant:** Toshihiko Nakamura **Examiner:** Unassigned  
**Serial No:** 09/854,159 **Art Unit:** Unassigned  
**Filed:** May 11, 2001 **Docket:** 14612  
**For:** APPARATUS AND METHOD FOR **Dated:** September 10, 2001  
PRODUCING A PERFORMANCE  
EVALUATION MODEL

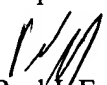
Assistant Commissioner for Patents  
Washington, D.C. 20231

**REQUEST FOR REFUND**

Sir:

A typographical error has occurred on the transmittal papers filed on May 11, 2001 in that the claim count should have been 7 independent claims and not 8. The filing fee should have been \$1,030.00 (\$710.00. plus (4 extra x \$80) \$320; = \$1,030.) A copy of our check is attached. Please credit deposit account 19-1013 SSMP with the \$70.00 difference from the \$1,100 paid to \$1,030 actually due.

Respectfully submitted,

  
Paul J. Esatto, Jr.  
Registration No.: 30,749

Scully, Scott, Murphy & Presser  
400 Garden City Plaza  
Garden City, New York 11530  
(516) 742-4343  
PJE:ae

**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner of Patents and Trademarks, Washington, D.C. 20231 on September 10, 2001.

Dated: September 10, 2001

  
Michelle Mustafa

AA  
Sector \$

**Response To Notice To File Missing Parts Of Application  
Filing Date Granted (PTO-1533)(Large Entity)**

Docket No.  
14612

In Re Application Of: Toshihiko Nakamura

Serial No.  
09/854,159

Filing Date  
May 11, 2001

Examiner  
unassigned

Group Art Unit  
unassigned

Invention: **APPARATUS AND METHOD FOR PRODUCING A PERFORMANCE EVALUATION MODEL**

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Box Missing Parts

This is a response to the Notice to File Missing Parts of Application - Filing Date Granted (PTO-1533) mailed on  
July 12, 2001  
Date

Enclosed herewith for filing are the following:

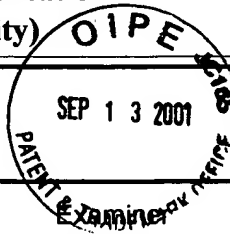
- ☒ A copy of the Notice to File Missing Parts of Application - Filing Date Granted (PTO-1533). **(REQUIRED)**
- ☐ An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date.
- ☒ A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date.
- ☐ An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date.
- ☒ A verified English translation of the non-English language application papers as originally filed. It is requested that this translation be used as the copy for examination purposes in the United States Patent and Trademark Office.
- ☒ Other (list):

8 sheets formal drawings  
Request for Refund

**Response To Notice To File Missing Parts Of Application  
Filing Date Granted (PTO-1533)(Large Entity)**

Docket No.  
14612

In Re Application Of: Toshihiko Nakamura



Serial No.  
09/854,159

Filing Date  
May 11, 2001

Examiner  
unassigned

Group Art Unit  
unassigned

Invention: **APPARATUS AND METHOD FOR PRODUCING A PERFORMANCE EVALUATION MODEL**

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Box Missing Parts

☒ Completion of application fees as calculated below:

☐ Utility application filing fee \_\_\_\_\_

☐ Design application filing fee \_\_\_\_\_

☐ Total number of independent claims = \_\_\_\_\_

☐ Total number of claims = \_\_\_\_\_

☐ Multiple dependent claims \_\_\_\_\_

☒ Surcharge for late payment of filing fee and/or late filing of original declaration or oath **\$130.00**

☐ Petition and fee for filing by other than all the inventors or a person not the inventor \_\_\_\_\_

☒ Fee for processing an application filed with a non-English language specification **\$130.00**

☐ Fee for processing and retention of application \_\_\_\_\_

Total completion of application fees **\$260.00**

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the above-identified Notice to File Missing Parts of Application. The requested extension is as follows (check time period desired). If an additional time extension is required, please consider this a petition therefor.

☐ One month    ☐ Two months    ☐ Three months    ☐ Four months    ☐ Five months

from: \_\_\_\_\_ until: \_\_\_\_\_  
Date Date

Total time extension fees \_\_\_\_\_

Total fees due **\$260.00**

**Response To Notice To File Missing Parts Of Application  
Filing Date Granted (PTO-1533) (Large Entity)**

Docket No.  
14612

In Re Application Of: Toshihiko Nakamura

Serial No.  
09/854,159

Filing Date  
May 11, 2001

Examiner  
unassigned

Group Art Unit  
unassigned

Invention: **APPARATUS AND METHOD FOR PRODUCING A PERFORMANCE EVALUATION MODEL**

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Box Missing Parts

The fee of \$260.00 is to be paid as follows:

- ☒ A check in the amount of the fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. 19-1013 SSMP  
A duplicate copy of this sheet is enclosed.
- ☐ If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No.  
A duplicate copy of this sheet is enclosed.

  
Signature

Paul J. Esatto, Jr., Reg. No. 30,749  
Scully, Scott, Murphy & Presser  
400 Garden City Plaza  
Garden City, New York 11530  
(516) 742-4343

Dated: **SEPTEMBER 10, 2001**

I certify that this document and fee is being deposited on  
September 10, 2001 with the U.S. Postal Service as first  
class mail under 37 C.F.R. 1.8 and is addressed to the  
Assistant Commissioner for Patents, Washington, D.C.  
20231.

  
Signature of Person Mailing Correspondence

**Mishelle Mustafa**

Typed or Printed Name of Person Mailing Correspondence

CC: